

**MINISTRY OF AGRICULTURE
AND RURAL DEVELOPMENT**

No: 92/2003/QĐ-BNN

**SOCIALIST REPUBLIC OF VIETNAM
Independence – Freedom – Happiness**

Hanoi, September 4th 2003

**DECISION OF MINISTER OF MINISTRY OF AGRICULTURE AND RURAL
DEVELOPMENT**

**Specifying the functions, responsibilities, authorities and apparatus organization of
Forest Protection Department**

MINISTER OF MARD

Pursuant to the Law on Forest Protection and Quarantine in 2001;

Pursuant to Decree no 86/2003/ND-CP dated July 18, 2003 of the Government defining function, tasks, authorities and organizational structure of MARD;

Pursuant to the Article 19 of the Decree no 86/2002/ND-CP dated November 5th, 2002 of the Government, specifying function, tasks, authorities and organizational structure of ministries and ministerial agencies;

Regarding the proposal made by the Director of Department of Organization and Personnel,

DECIDES:

Article 1: Position and functions:

The Forest Protection Department is MARD affiliated agencies, performing the function of state management and inspection over the profession on Forest resources protection and enforce laws on forest management, forest protection and forestry products management in the whole nation.

The Department has its legal entity, own seal, operational funds and its account is opened in accordance with the legal regulations.

The Department is located in the capital city of Hanoi.

Article 2: Tasks and authorities:

The Forest Protection Department is assigned by the Minister to perform the following tasks:

1. To submit to the Minister the law project, ordinance project, legal normative document draft under the professional management of the Department.
2. To present to the Minister the strategies, development plan, policies, annual and five-year plan, programs, projects, and proposals under the professional state management of the Department as assigned by the Minister.
3. To issue documents on management professions; to give professional guidance as assigned by MARD Minister.
4. To organize to steer, guide, review and take responsibility for implementing legal normative documents, planning, plans, programs, projects, standards, processes, economic-technological norms approved and conduct legal dissemination, propaganda, education on the specialized management of the Department.
5. On professional management:
 - a) On forest resources protection:
 - Steer the protection of natural preservation, and forest bio-diversity;
 - Unify the management on the fight against deforestation, illegal exploitation of forest resources;

- Steer the profession, speciality on the protection of special use forests, protection forest and production forests; develop the masses taking part in forest protection and fighting against violations on forest protection laws
 - Take part in steering the profession, speciality on management of special use forest system;
 - Unify management, steering of forest fire control;
 - Participate in steering the work on using pesticides to prevent and kill diseases harmful for forests;
 - Conduct monitoring on the forest changes and forestry soils annually;
 - Organize to collect information, statistics, reports; develop data base to serve the professional management on forest protection;
 - Authorized to order to local governments to mobilize forces, means of branches located in the areas so as to timely prevent, rescue forest protection and serious forest deforestation, in accordance with legal regulations.
- b) On the enforcement of forestry laws:
- Inspect, review the enforcement of laws on forest management, protection and forestry product management;
 - Manage, steer, review and organize the implementation of: treatment of administrative violations; deal with violations under competence; introduce instances, investigate cases violated laws on forest management, forest protection and forestry products management in accordance with legal regulations;
 - Steer, review the handling of claims and petitions, and fight against corruptions, negative actions, under the competence.
 - c) Unify the management of granting, withdrawing certificates; licenses regarded transport of forestry products, rare animals and plants; import, export of wild plants and animals in the whole nation in accordance with the legal regulations.
6. On science and technology:
- a. Develop and submit the Minister programs, plans, scientific research subjects, application of technological advancements on forest protection; manage and deploy the implementation of results in scientific research, application of technical, technological advancement under the forestry speciality management of the Department.
 - b. Organize to collect and manage specialized science-technology information on forest protection.
7. Develop programs, projects for international cooperation on forest protection, take part in the negotiations to sign and get admission to international treaties and international organizations on forest protection, deploy the implementation of programs and projects for international cooperation under the assignments of MARD Minister.
8. Manage some public service delivery agencies and service delivery agencies as assigned by MARD Minister.
9. Involve managing activities of associations, NGOs in the forestry field under the assignment of MARD Minister.
10. Develop and implement PAR program of the Department in line with new objectives and contents of the PAR Program of MARD.
11. Undertake tasks and manage the Office of the Central Steering Committee on forest fire prevention and control; perform function of competence agency of Vietnam to join the Treaty on international trade of wild plants and animals, representative of

Vietnam at the Global Tiger Forum and the ASEAN Agreement on cross-border smoke pollution.

12. On organization, personnel management:
 - a. On the development of forest protection force:
 - Manage, steer the nationwide forest protection forces in accordance with Laws and the decentralization of the Ministry;
 - Map out the network for check, control of forestry products in the whole nation;
 - Take part in training and retraining the profession and speciality for cadres and civil servants in the forest protection sector and for the forest protection forces;
 - Manage the uniform, badge, stripe, plate, forest ranger cards, inspection card, specialized tools, and infrastructure and distribution regulations of forest protection workers; infrastructure of the forest protection forces.
 - b. Manage organization, apparatus, staffing of the Department in accordance with its regulations; perform the salary regulations and other schemes and policies for treatment, award and disciplines for cadres and civil servants under the Department management scope.
13. Manage financial sources, property, and other resources allocated; organize the allocated budget as regulated.
14. Perform other tasks assigned by the Minister.

Article 3. Apparatus Organization

1. The Department Leadership:

The Department leadership includes the Director and Deputies appointed by MARD Minister as regulated,

The Director is responsible for steering all activities of the Department, responsible to MARD Minister and the Laws for the Department's activities and assigned tasks.

The Deputies are responsible for assisting the Director and responsible to the Director and the Law for the performance of assigned tasks. The numbers of Deputies do not exceed 3 and in case of exceeded numbers, it is necessary to report to the Minister.

2. The Department's management machinery:

- a. Administrative and General Office (planning and finance);
- b. Organization, Propaganda, Force Development Office;
- c. Inspection and Legal Office
- d. Natural Preservation Office;
- e. Forest Fire Protection and Control Office;
- f. Information and Documentation Office.

3. Affiliated Agencies:

Centers for forest protection techniques

The Director of Forest Protection Department develops the proposals for establishing Technical Center for forest protection in order to submit to the Minister for decision prior to December 31st, 2003; when the Minister has not made any new decisions, existing service delivery agencies of Forest Protection Department still operate in accordance with current;

The Director of Forest Protection Department specifies functions and tasks of offices and develops Working Regulations of the Department to submit to the Minister of approval for implementation organization.

Article 4: Operation effects

This decision comes into force after 15 days from the issuance on the Government Gazette, replacing Decision no 1271/NN – TCCB/ QD dated July 30th, 1996 of MARD Minister specifying the functions, tasks and authorities and organizational apparatus of Forest Protection Department and other previous regulations the run counter to this Decision.

Article 5: Operation responsibilities:

The Director of Forest Protection Department, Director of OMARD, Directors of Departments, Chief Inspector, Heads of Provincial and city People’s Committees and Heads of agencies, units under the management of MARD are responsible for putting this Decision into operation.

**MINISTER OF MINISTRY OF AGRICULTURE AND RURAL
DEVELOPMENT.**

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